

Amendment No. 1 to HB2102

Curcio  
Signature of Sponsor

**AMEND Senate Bill No. 2001\***

**House Bill No. 2102**

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 40-32-101(g)(1)(C), is amended by deleting the subdivision and substituting instead the following:

(C) A person who was convicted of a felony or misdemeanor committed prior to November 1, 1989, if:

(i) The person has never had a previous conviction expunged as the result of the successful completion of a diversion program pursuant to §§ 40-15-102 — 40-15-106 or § 40-35-313; and

(ii) The offense for which the person was convicted:

(a) Did not have as an element the use, attempted use, or threatened use of physical force against the person of another;

(b) Did not involve, by its nature, a substantial risk that physical force against the person of another would be used in the course of committing the offense;

(c) Did not involve the use or possession of a deadly weapon;

(d) Was not a sexual offense for which the offender is required to register as a sexual offender or violent sexual offender under chapter 39, part 2 of this title; or any sexual offense involving a minor;

(e) Did not result in the death, serious bodily injury, or bodily injury of a person;

(f) Did not involve the use of alcohol or drugs and a motor vehicle;

(g) Did not involve the sale or distribution of a Schedule I controlled substance or a Schedule II controlled substance in an amount listed in § 39-17-417(i);

(h) Did not involve a minor as the victim of the offense; and

(i) Did not result in causing the victim or victims to sustain a loss of sixty thousand dollars (\$60,000) or more;

SECTION 2. This act takes effect July 1, 2022, the public welfare requiring it.